

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RICHARD L. MITCHELL,
Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,
Defendants.

Case No.: 2:18-cv-00646-RFB-EJY

ORDER

Pending before the Court is Defendant Miguel Garcia's Motion for Leave to Conduct a Deposition of Plaintiff Richard L. Mitchell. ECF No. 68 filed on March 10, 2022. On March 28, 2022, Plaintiff filed a document titled Petitioner Richard L. Mitchell's Response to Defendant Miguel Garcia's Motion for Leave to Conduct a Deposition of Plaintiff Richard L. Mitchell. ECF No. 77. In Plaintiff's Response he does not oppose Defendant's Motion to take his deposition. Instead, Plaintiff argues the need to depose Officers Garcia and Stephens, albeit Stephens has not been served. *Id.* at 1.

Under Local Rule 7-2(d), the failure of a party to oppose a motion filed by the opposing party may be treated by the Court as consent to such motion. Here, Plaintiff fails to oppose the Motion seeking his deposition and, for this reason, the Motion is granted below. With respect to Plaintiff's request to depose others, I order Defendants to respond on the date stated below.

Accordingly, IT IS HEREBY ORDERED that Defendant Miguel Garcia's Motion for Leave to Conduct a Deposition of Plaintiff Richard L. Mitchell (ECF No. 68) is GRANTED.

IT IS FURTHER ORDERED that Defendants shall file a response to Plaintiff's request to take deposition no later than **April 11, 2022**.

DATED this 29th day of March, 2022.


ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE